

SUFFOLK COUNTY FORECLOSURE AUCTION RULES AND PROCEDURES

As of October 22, 2020

1. **BEFORE SCHEDULING A FORECLOSURE AUCTION, REFEREES MUST RECEIVE FROM PLAINTIFF'S COUNSEL AN AFFIRMATION THAT THE CONFERENCE REQUIREMENTS OF AO 157/20 HAVE BEEN MET. (A template affirmation can be found on the court's foreclosure website).**
 - Please further note that, pursuant to AO 232/20, the conference requirement of AO 157/20 shall not apply where the foreclosing lender submits an affirmation to the court averring that, following diligent inquiry, it knows the property at issue to be currently abandoned and vacant. Additionally, the conference requirement shall apply to in rem foreclosures only when the enforcing officer believes that such a conference would be in the public interest.

2. **IN ORDER TO SCHEDULE A FORECLOSURE SALE, REFEREES MUST E-MAIL A "REQUEST FOR FORECLOSURE AUCTION DATE" FORM (PDF-fillable), TO THE COURT FIDUCIARY OFFICE AT SUFFAUCTIONS@NYCOURTS.GOV WITH THE PROPOSED DETAILS OF THE FORECLOSURE SALE. *Only one form/request may be submitted with each email***
 - **A.) The PDF-fillable "Request for Foreclosure Auction Date" Form is available on the court's foreclosure website. The completed form must contain the following information:**
 - Index Number
 - Title of the action
 - Town where the auction is to take place
 - Plaintiff's attorney
 - Referee's name and Telephone Number,
 - 1st Choice Requested date and time for the auction
 - OPTIONAL: Alternative date and time (to be considered if 1st Choice is unavailable)

- **B.) The Fiduciary Office will either confirm the proposed date and time requested by the Referee or advise of the need to submit a new request (Initial Request Not Available)**

- (Note: Auctions must be scheduled 30 minutes apart at any one location on the hour and half hour)

3. CALENDARS OF SCHEDULED FORECLOSURE AUCTIONS WILL BE ACCESSIBLE THROUGH E-COURTS AND UPDATED ON A WEEKLY BASIS

- A list of auctions will be posted on an auction calendar for each of the ten towns.
- The auction calendars will be updated at a minimum every Friday (unless it is a holiday, then the next business day).
- Please be aware:
The listed auction information is updated weekly (i.e., every Friday unless it is a holiday, then the next business day) and is subject to change at any time. The accuracy of the scheduling information posted on the court's website is dependent upon the information provided by individual Referees responsible for scheduling and conducting these auctions.

4. THE REFEREE MUST CONTACT THE COURT FIDUCIARY OFFICE VIA EMAIL (SUFFAUCTIONS@NYCOURTS.GOV) TO ADVISE OF ANY AND ALL CANCELLATIONS OF A SCHEDULED AUCTION IN A TIMELY MANNER BUT NO LATER THAN TWO DAYS AFTER THE CANCELLED AUCTION DATE

- The E-mail shall contain in the "Subject Line" the following information in the following order:
 - CANCELLATION, Town where auction is taking place, Index Number, Date & Time of Auction, Referee's full name and the reason for cancellation.
 - The Fiduciary Office will respond confirming such cancellation has been recorded.
 - Advance notice of cancellations will open up the timeslot for availability.
 - *Note: A new request form must be submitted via a separate e-mail to reschedule an auction that has been cancelled